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DATE MAILED: 04/07/2003

| APPLICATION NO. | FILING DATE | | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------------------|----------------------|--------------|----------------------|---------------------|------------------|
| 09/851,776 | 9/851,776 05/09/2001 | | Yoshihiro Kanada | 9281-3989 | 3835 |
| 757 | 7590 | 04/07/2003 | | | |
| | | LSON & LIONE | EXAMINER | | |
| P.O. BOX 10395 CHICAGO, IL 60611 | | | RENNER, CRAIG A | | |
| | | • | | ART UNIT | PAPER NUMBER |
| | | | | 2652 | |

Please find below and/or attached an Office communication concerning this application or proceeding.



W)

Office Action Summary

Application No. **09/851,776**

Applicant(s)

Examiner

Craig A. Renner

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Kanada et al.

| The MAILING DATE of this communication appears on the co | over sheet with the correspondence address | | | | |
|--|--|--|--|--|--|
| Period for Reply | | | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXF THE MAILING DATE OF THIS COMMUNICATION. | | | | | |
| Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event mailing date of this communication. | , however, may a reply be timely filed after SIX (6) MONTHS from the | | | | |
| If the period for reply specified above is less than thirty (30) days, a reply within the statut If NO period for reply is specified above, the maximum statutory period will apply and will Failure to reply within the set or extended period for reply will, by statute, cause the applic Any reply received by the Office later than three months after the mailing date of this comearned patent term adjustment. See 37 CFR 1.704(b). | expire SIX (6) MONTHS from the mailing date of this communication. ation to become ABANDONED (35 U.S.C. § 133). | | | | |
| Status | | | | | |
| 1) Responsive to communication(s) filed on | | | | | |
| 2a) ☐ This action is FINAL . 2b) ☒ This action is no | on-final. | | | | |
| 3) Since this application is in condition for allowance except for closed in accordance with the practice under Ex parte Quay | | | | | |
| Disposition of Claims | | | | | |
| 4) 💢 Claim(s) <u>1-6</u> | is/are pending in the application. | | | | |
| 4a) Of the above, claim(s) | is/are withdrawn from consideratio | | | | |
| 5) | is/are allowed. | | | | |
| 6) | | | | | |
| 7) | is/are objected to. | | | | |
| 8) 💢 Claims <u>1-6</u> | are subject to restriction and/or election requirement | | | | |
| Application Papers | | | | | |
| 9) \square The specification is objected to by the Examiner. | | | | | |
| 10) The drawing(s) filed on is/are a | accepted or b objected to by the Examiner. | | | | |
| Applicant may not request that any objection to the drawing(s |) be held in abeyance. See 37 CFR 1.85(a). | | | | |
| 11) The proposed drawing correction filed on | | | | | |
| If approved, corrected drawings are required in reply to this O | ffice action. | | | | |
| 12) The oath or declaration is objected to by the Examiner. | | | | | |
| Priority under 35 U.S.C. §§ 119 and 120 | | | | | |
| 13) Acknowledgement is made of a claim for foreign priority un | nder 35 U.S.C. § 119(a)-(d) or (f). | | | | |
| a) ☐ All b) ☐ Some* c) ☐ None of: | | | | | |
| 1. \square Certified copies of the priority documents have been | received. | | | | |
| 2. Certified copies of the priority documents have been | received in Application No | | | | |
| 3. Copies of the certified copies of the priority document application from the International Bureau (PCT | Rule 17.2(a)). | | | | |
| *See the attached detailed Office action for a list of the certific | | | | | |
| 14) Acknowledgement is made of a claim for domestic priority | | | | | |
| a) U The translation of the foreign language provisional applica | | | | | |
| 15) Acknowledgement is made of a claim for domestic priority | under 35 U.S.C. §§ 120 and/or 121. | | | | |
| Attachment(s) 1) Notice of References Cited (PTO-892) 4) Int | erview Summary (PTO-413) Paper No(s). | | | | |
| | erview Summary (P10-413) Paper No(s) tice of Informal Patent Application (PT0-152) | | | | |
| 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) | | | | | |
| | | | | | |

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1. Restriction to one of the following inventions is required under 35 U.S.C. § 121:

- I. Claims 1-2, drawn to a "thin-film magnetic head", classified in class 360,
 subclass 120.
- II. Claims 3-6, drawn to a "method for making a thin-film magnetic head", classified in class 29, subclass 603.01.
- 2. The inventions are distinct, each from the other because of the following reasons:

Inventions of groups II and I are related as process of making and product made, respectively. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process, such as a process not including "plating", for instance.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 C.F.R.

§ 1.143).

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5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the

inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the

currently named inventors is no longer an inventor of at least one claim remaining in the

application. Any amendment of inventorship must be accompanied by a request under 37 C.F.R.

§ 1.48(b) and by the fee required under 37 C.F.R. § 1.17(i).

6. Any inquiry concerning the above referenced application should be directed to the

examiner, Craig A. Renner, whose telephone number is (703) 308-0559, and whose facsimile

number is (703) 872-9314. The examiner can normally be reached Tuesday through Friday from

7:30 a.m. to 6:00 p.m. E.S.T.

Primary Examiner

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CAR April 05, 2003